

# ROWAN COUNTY.

## Report of Sam E. Hill, Adjutant General, Concerning This Riotous Section of the State.

FRANKFORT, KY., Nov. 22, 1887.  
His Excellency, S. B. Buckner, Governor of Kentucky.

DEAR SIR: In obedience to your order of the 16th instant, directing me to visit Rowan county and investigate the condition of affairs there, as well as the troubles which have existed there for several years past, and report what, in my opinion, is necessary to be done or omitted in order to insure permanent tranquillity to the people of said county, I have the honor to report that I proceeded to Morehead on the evening of the 16th instant, remaining there two days, where I met and talked with many of the citizens of both town and county, representatives of all parties and factions, the confidence of all of whom I freely invited, and which was, in almost every instance, as freely extended. I am gratified at being able to report that peace and quiet now prevail there, and the people express themselves as heartily tired of disorder and bloodshed, and exhibited every manifestation of genuine delight at the present peaceful condition of the county; but I discovered, in several instances, strong symptoms of smothered resentment on the part of individuals.

The surviving Tollivers, except Craig's widow, have left the county, and gone over into Elliott county. I presume I need not relate in detail the origin and progress of the disorder which for so long, afflicted the county, as you have, no doubt, already been informed through the medium of the public prints and previous official reports, that the trouble originated on the evening of the August election, 1884, at the close of an exciting political race for Sheriff between Cook Humphrey, Republican, and Sam Goodin, Democrat, in which election riot one Bradley was killed, and others were wounded; and, in consequence, the trouble in the beginning had a somewhat political complexion.

As a sequel to the election riot, John Martin soon afterwards slew Floyd Tolliver, and for that killing Martin was arrested and committed to the Montgomery jail. While he was thus confined, Craig Tolliver, accompanied by several of his friends, presented himself to the jailer at Mt. Sterling and producing a paper purporting to be an order for the delivery of the body of said Martin from the Rowan county authorities, for the purpose of transporting him back to Rowan for trial, got the custody of the prisoner and started with him by train to Rowan county, but before the train arrived at Morehead—but after he had entered Rowan county—the engineer in charge had a pistol leveled at him by one of the party who had been intrusted with the custody of the prisoner, and was made to stop the train, while the other members of the party shot Martin to death. It transpired on investigation that the supposed order was a forgery. For that cruel murder thus publicly committed and rendered possible by fraud, no one was ever even indicted. The courts of the county, either from sympathy with the perpetrators, as some of the people insist, from a criminal indifference, or from a timidity almost as reprehensible as either, failed to act with that degree of vigor which such a condition of things as then existed in the county always requires.

Immunity from punishment for open and repeated violations of law soon brought the law and its executors into equal and undisguised contempt.

Meanwhile the troubles lost all political significance, and assumed something of the form of organized brigandage. The dominant faction, with Craig Tolliver at its head, now entered upon a career of murder and outrage, which terrorized the community, defied resistance and prohibited criticism. Craig Tolliver became a veritable autocrat of the little county seat. At his command men were slain or driven into exile. His will was the supreme law of the town and adjacent country. His word sealed the fate of more than one luckless victim. Finally he banished from the town D. B. Logan, a prominent young lawyer of the place, his political friend, who seems to have been guilty only of criticizing in a mild manner the killing of Dr. Logan's sons, his kinsmen, who were arrested at their home some three miles from Morehead by Tolliver and his band, under warrants issued by Craig Tolliver, as Police Judge of Morehead, on the complaint of Hiram Cooper, a dissolute fellow from the same neighborhood, who had taken service with Tolliver, and who after their arrest, were foully murdered—shot till disfigured almost beyond recognition by their nearest friends, Judge Tolliver being present and in command at the murder.

After banishing D. B., or Boone Logan, as he is familiarly called, Tolliver goaded him with the exasperating message that he intended to rent out his house, and hire out his wife to make a living for herself and children, two in number.

At this juncture Logan visited Frankfort and appealed to Governor Knott to furnish him troops and he would return to Rowan and arrest the outlaws, which request the Governor denied him; referred to the large sum of money the State had spent on Rowan without securing a conviction, and suggested to Logan that the good people of the community should take the matter in hand and themselves suppress the out-lawry. Thus advised, Logan formed his resolution to organize the posse which did such effective service on the 22d of June last. I found that said posse was composed of many of the best citizens of the county, without regard to political affiliation and that it included also good citizens of adjoining counties.

Logan procured warrants from the county judge, who resides eight miles from Morehead, for the arrest of Craig Tolliver and his principal followers and also procured the assistance, or at least the attendance, of George Hogg, deputy sheriff of Rowan county, of whom I presume you have

seen mention in connection with the arrest of Logan boys; but it seems no formal order to surrender was given Tolliver and his men, as Tolliver discovered a member of the posse and opened fire on him before the posse, which had surrounded the town, was ready to move forward, and thus the fight which resulted so disastrously to police Judge of Morehead and followers was precipitated.

With the occurrences of the 22d of June, I suppose Your Excellency is already familiar, and will say, in that connection, that almost every one with whom I talked heartily approved the day's work, barring some excesses which were committed, such as the killing of two of the wounded men after the fight was over, and the disposition on the part of certain members of the posse to abuse their victory by manifesting some disregard of property rights, which conduct was bitterly lamented by the more conservative members of the posse, notably by Boone Logan himself.

Indictments are pending in the Rowan Circuit Court against certain members of the posse for said alleged excesses, to which I may again refer before closing this report.

The victors of the 22d of June were, in the main, singularly moderate and forbearing, and it is denied by none of the people there that they rendered a most valuable service to the county, in overthrowing the outlaws, who had so long and cruelly terrorized the community. From the 22d day of June a new era dawned on Morehead; refugees returned from banishment to long deserted homes; business soon resumed its natural channels, and law-abiding people rejoiced from liberation after long captivity.

One night while I was there the young people of Morehead had a "social" at the home of a prominent citizen, and I was told that it was the first event of the kind which had occurred in the little town for years. But there is yet a deplorably lax administration of the law in the county.

There are, as I was reliably informed, some ten or twelve saloons in the county, and not one of which has the sanction of legal authority. One only has even the pretense of legal sanction.

After Craig Tolliver was elected Police Judge of Morehead last May, he seems to have had the decency to think that it would look better on the part of a judicial officer to take out a license to retail liquor at his hotel (he had previously been selling without license), and, notwithstanding the popular sentiment was opposed to the granting of a license, the County Judge told me that he was a man of peace, and did not feel at liberty to refuse Craig a license, and so he granted it; and after Craig's death, on the twenty-second of June, his widow took out letters of administration on his estate, by virtue of which she claims, and is exercising, the right to sell by retail spirituous liquors for the remainder of the time which her husband's license had to run, and so she continues the business at the same stand. Her's is the only saloon in Morehead, though there are some five or six at Farmers, none of which are licensed by State authority, and one, at least, has paid no internal revenue tax; and so of other saloons at other points in the county.

Good citizens of the county were severe in their strictures upon the conduct of Z. T. Young, charging him with being primarily responsible for the late disorders; and their strictures upon Judge Cole were scarcely less severe. They accuse Young of instigating the election riot of August, 1884, for the purpose of imparting to the disorder a political appearance; and of Judge Cole, they say that he has suffered himself to be controlled by Young in the selection of jury commissioners, appointing the same commissioners term, after term the commissioners so appointed being, as they charge, tools of Young, who would select grand jurors who would indict only such persons as Young would want indicted, and trial jurors equally prompt to do Young's bidding.

This complaint of the Judge was preferred by representative men, without reference to party affiliation, and, whether the accusation be well founded or not, the belief in its truth has evidently found lodgment in the popular mind to such extent as to seriously impair popular confidence in the Judge, without which an efficient administration is well nigh, if not wholly impossible.

The County Judge, James Stewart, with whom I held two interviews, seems to be a tolerably well meaning old fellow, but is weak and timid, and possesses not a single qualification for so important an office in a county like Rowan at such a juncture; while the Sheriff, Hogg, impressed me as a man of but little force of character, whose bond is said to be entirely insufficient to satisfy the most nominal recovery which might be had against him for official delinquency.

I did not meet Allie Young, who is county attorney, and son of Z. T. Young. Allie was reported as making his home at Farmers, eight miles West of Morehead, on the C. & O. railroad, and has been seen at Morehead but rarely since the 22d of June.

I met several of the justices of the peace, all of whom impressed me as men of integrity; but the majority, I thought, fell below the average of the community in point of intelligence. Withal, I have no hesitancy in saying that the good people outnumbered the bad in Rowan by at least eighty per cent, though they were for so long dominated by the lawless minority element of the population.

I inquired of almost every one with whom I talked their wishes as to the action they would have Your Excellency take with reference to the petitions for pardon of offenses alleged to have been committed at Morehead on the 22d of June, and at least nineteen-twentieths expressed themselves in favor of general amnesty for all of said offenses; and that expression applies, with especial emphasis, to all indictments for violence there on that day,

TEN

Wanamaker

IS

Clothing

Reason No.  
Reason No.  
Reason No.  
Reason No.  
Reason No.  
Reason No.  
Reason No.  
Reason No.  
your money.

FALL AND WINTER

WANAMAKER

Fourth and Jefferson

fearing, as they said, the coming together at Morehead of so many of the participants in the late troubles and their friends, under circumstances of irritation, such as a judicial scrutiny into the transactions of that day would involve, might produce a friction that would lead to a renewal of hostilities.

As to the means to be adopted to preserve the present peaceful condition of affairs in said community, I would respectfully suggest that there are several measures which Your Excellency might, with propriety, recommend to the General Assembly soon to convene, viz:

1. A repeal of the act of assembly establishing the county of Rowan; though that would be a rather an extreme remedy, and would, perhaps, be fraught with much inconvenience to people living within the present territorial limits of the county.

2. The transfer of the county to another judicial district.

3. To divest the Rowan Circuit Court of all criminal and penal jurisdiction, and transfer such jurisdiction either to Judge John M. Rice, of the adjacent criminal court district, or confer it upon Judge John E. Cooper, whose circuit court district adjoins the county; and in this connection I feel constrained to suggest the propriety of a legislative investigation into the conduct of Judge Cole, as I feel that justice to the Judge would demand that he have an opportunity to disprove the accusations so freely made against him by so many of the people of Rowan if innocent, while the honor of the judiciary and integrity of government alike require that he be exposed and punished if guilty. I incline to the belief that a pardon of all persons indicted for violence at Morehead on the 22d of June would best subserve the interests of peace, and especially so if no change of criminal jurisdiction, as above suggested, be not provided.

Very Respectfully,

SAM E. HILL, Adj't General.

N. B. I was informed that from the first Monday in August, 1884, to 22d of June, 1887, inclusive, twenty-three men were killed in Rowan county.

S. E. H.

## STATE NEWS.

A car load of whisky went from Owensboro to Cincinnati Thursday.

J. C. Limeback, aged 16 shot and killed Ed Clark, at Hitesville last Thursday.

Col. John B. Castleman was appointed chief of police of Louisville by Mayor Jacobs on 5th inst.

It has been reported that Senator J. C. S. Blackburn has cancer of the stomach, but the Senator is reticent on the subject, and the real state of the affair is in doubt.

Maj. J. M. Wright, a prominent citizen of Louisville, has been appointed Marshal of the Supreme Court at Washington. The salary is \$3,000 a year, with about five months of work.

It appears that Kentucky is beginning to furnish her sister States with statesmen as well as fine horses. In the present Congress there are twenty-four members who were born in this State.

Richard H. Collins, the author of the well known work, "Collins' History of Kentucky," died at Maryville, Mo., last Sunday night, where he had been visiting. His remains were taken to Maysville, Ky., his old home, for burial.

A drug store building belonging to a man named Davenport, at Central City, was burned at 11:30 o'clock Tuesday night. The house had been unoccupied for some time, and the cause of the fire is unknown. The loss is \$600, without insurance.

The grand jury at Calhoun is still in session and 100 or more of indictments for whisky offenses are in prospect. The Commonwealth's attorney pro tem is having a special edition of indictments for violating local option printed, as writing so many is out of the question.

Anent the Hewitt Bill. Under its operation, the Auditor's report shows that, instead of a deficit, there was a balance in the Treasury, on June 30, 1887, of \$197,684.88. After deducting the ordinary expenses of the government, including the legislative expenses, he estimates a balance June 30, 1889 of \$297,938.59.

All owing Smalls must come forward and pay their accounts at once and save costs. They are going to leave on February 1st.